

**EASTERN DISTRICT OF TEXAS**



CIVIL ACTION NO. 1:19-CV-134

LORENZO BUSTOS, *et al.*,

Defendants.

After careful consideration, the court concludes plaintiff's objections are without merit. A review of plaintiff's application to proceed *in forma pauperis* reveals he had a balance of \$28.41 in his prisoner account and average monthly deposits of \$45.63. Accordingly, it appears plaintiff had sufficient funds to pay the initial partial filing fee of \$9.13, as ordered. Plaintiff asserts his mother was sending him money prior to her murder. However, plaintiff has neither alleged nor shown he lacks the funds necessary to pay the initial partial filing fee. Plaintiff may reinstate this case on the court's active docket within thirty days from the date of the judgment by either paying

the initial partial filing fee or submitting a statement of his prisoner account demonstrating he has not had the ability to pay the initial partial filing fee.

**ORDER**

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

**Signed this date**

**Jul 15, 2019**

A handwritten signature in cursive script, reading "Marcia A. Crone", is written above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE